

MH:

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 08-802 (DMC)  
v. :  
REY ARMANDO APONTE : Hon. Dennis M. Cavanaugh  
: :  
: CONTINUANCE ORDER  
:

A criminal indictment charging the defendant with conspiracy to distribute heroin, contrary to Title 21 United States Code, Sections 841(a) & (b)(1)(B)(1), in violation of Title 21, United States Code, Section 846, having been returned on October 27, 2008; and the defendant having arraigned on November 03, 2008; and the defendant being represented by Deborah Factor, Esq., and the defendant having been released on bail; and the defendant and his counsel being aware that the defendant has the right to a trial within seventy (70) days of defendant's arraignment on this charge, pursuant to Title 18, United States Code, Section 3161(b); and three(3) continuances having previously been granted by this Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A); the parties hereby request a continuance of thirty (30) days pursuant to Title 18, United States Code, Section 3161(h)(7)(A) in order to permit the parties to finalize plea negotiations and try to resolve this matter without trial;

IT IS on this 18 day of May, 2009,

ORDERED that from May 14, 2009, to and including June 14, 2009, shall be excluded in calculating the time within which this

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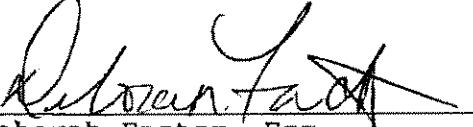
case must go to trial under the Speedy Trial Act for the following reasons:

1. The defendant, through his counsel, has requested additional time so that the parties can attempt to resolve this matter through a plea agreement and thereby avoid a possible trial.
2. Pursuant to Title 18, United States Code, Section 3161(h)(7)(A), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

HONORABLE DENNIS M. CAVANAUGH  
United States District Judge

SEEN AND AGREED:

  
Eric T. Kanefsky, Esq.  
Assistant U.S. Attorney

  
Deborah Factor, Esq.  
Counsel for Rey Armando Aponte